

1 Steven L Marchbanks, Esq. SBN: 214686
2 PREMIER LEGAL CENTER, A.P.C.
3 501 W. Broadway, Suite 1095
4 San Diego, CA 92101
5 Telephone: (619) 235-3200
6 Facsimile: (619) 235-3300

7 Attorney for Plaintiffs

8
9 **UNITED STATES DISTRICT COURT**
10
11 **SOUTHERN DISTRICT OF CALIFORNIA**
12
13

14 BRAD URIE, an individual,
15 FRANK POLLARE, an individual,
16 LORI CORREIA, an individual,
17 JEREMY REED, an individual,
18 RODNEY READ, an individual,
19 ELIZABETH KIANPOUR, an individual,
20 GENNIVIEVE MILLER, an individual,
21 DONALD GLOVER, an individual,
22 CLEVELAND FREEMAN, an individual,
23 GEORGE BARANKOVICH, an individual,
24 DAVID MCKIBBIN, an individual,
25 JOSE RAMIREZ, an individual,
26 GENERBURGOS BANAL, an individual,
27 JAIME AMAYA, an individual,
28 ARTURO GALVEZ, an individual,
BRAD BERGANTHAL, an individual,
GINA SHAUNETTE, an individual,
AMY CROW, an individual,
GLEN HONG, an individual,
JOSEPH ROSAS, an individual,
ALMA ALVARADO, an individual,

**CASE NO: 3:16-cv-01089-
DMS-RBB**

**[PROPOSED] ORDER
GRANTING PLAINTIFFS'
MOTION TO REMAND**

Judge: Hon. Dana M. Sabraw

Hearing Date and Time: July 1,
2016 at 1:30 p.m.

Court Room: 13A, 13th Floor

1 MICHELE HALL, an individual,
2 SHEILAGH FIELDER, an individual,
3 JENNIFER MOSCA, an individual,
4 MIKE FINGERMAN, an individual,
5 ZACHARY HOUSTON, an individual,
6 EDGAR DEGIOVANNI, an individual,
7 DACE BROWN, an individual,
8 ANA CHOTA, an individual,
9 JAVIER LIZARRAGA, an individual,
10 DEAN MAYO, an individual,
11 GEORGINA RODRIGUEZ, an individual,
12 WILLIAM FAULKNER, an individual,
13 MCLEAN LAUGHLIN, an individual,
14 JOHN RAY, an individual,
15 ZACH STEPHENS, an individual,
16 CEDRIC KOHLER, an individual,
17 DAVID SPREITZER, an individual,
18 ARTHUR DROZ, an individual,
19 KELLEY KALBHENN, an individual,
20 MICHELE SANCHEZ, an individual,
21 BRIAN YAO, an individual,
22 ALVIN WHITEHOUSE, an individual,
23 JOEL MACKAY, an individual,
24 RAQUEL MACKAY, an individual,
25 MARCO FLORES, an individual,
26 MARSHA PLAISANCE, an individual,
27 MARIO SOLIS, an individual,
28 JEREMY USSERY, an individual,

Plaintiffs,

v.

BOB BAKER VOLKSWAGEN SUBARU, a
business,
CAPISTRANO VOLKSWAGEN, a
business,
MOSSY VOLKSWAGEN OF
ESCONDIDO, a business,
SOUTH BAY VOLKSWAGEN, a business,

1 VOLKSWAGEN GROUP OF AMERICA,
2 INC., a corporation, and DOES 1 through 10,
3 inclusive,
4 Defendants.

5
6
7
8 Plaintiffs Brad Urie, Frank Pollare, Lori Correia, Jeremy Reed, Rodney
9 Read, Elizabeth Kianpour, Gennivieve Miller, Donald Glover, Cleveland
10 Freeman, George Barankovich, David Mckibbin, Jose Ramirez, Generburgos
11 Banal, Jaime Amaya, Arturo Galvez, Brad Berganth, Gina Shaunette, Amy
12 Crow, Glen Hong, Joseph Rosas, Alma Alvarado, Michael Hall, Sheilagh
13 Fielder, Jennifer Mosca, Mike Fingerman, Zachary Houston, Edgar Degiovanni,
14 Dace Brown, Ana Chota, Javier Lizarraga, Dean Mayo, Georgina Rodriguez,
15 William Faulkner, Mclean Laughlin, John Ray, Zach Stephens, Cedric Kohler,
16 David Spreitzer, Arthur Droz, Kelley Kalbhenn, Michele Sanchez, Brian Yao,
17 Alvin Whitehouse, Joel Mackay, Raquel Mackay, Marco Flores, Marsha
18 Plaisance, Mario Solis, and Jeremy Ussery (hereinafter referred to collectively as
19 “Plaintiffs”) Motion to Remand came on for the hearing on the Court’s regular
20 motion calendar at the above time and place.

21
22
23
24 The Court has read and considered the motion papers filed in support and
25 in the opposition to the Motion, the arguments of counsel and the case file in this
26 action.
27
28

1 Good cause showing, the Court finds the Complaint must be remanded to
2 the San Diego Superior Court on the ground that there is no subject matter
3 jurisdiction because there is no substantial federal question presented on
4 Plaintiffs' Complaint that is in dispute.
5

6 THEREFORE, IT IS ORDERED that Plaintiffs' Motion to Remand is
7 GRANTED IN FULL. The case is remanded to the San Diego Superior Court.
8

9
10 Dated: _____

Hon. Dana M. Sabraw
District Judge